

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS,

Complainant,

and

HILTON HOTELS CORPORATION,

Respondent.

CASE NO. OSH 2007-22

ORDER NO. 270

PRETRIAL ORDER

PRETRIAL ORDER

Pursuant to the initial conference/settlement conference held in this matter by the Hawaii Labor Relations Board (Board) by conference call on November 20, 2007, and attended by Herbert B.K. Lau, Deputy Attorney General, for Complainant, and Lynne Sienon, Corporate Director of Loss Prevention, Sandra Oyama-Yuen, Director of Claims, and Simeon Miranda, Resident Manager for Respondent, IT IS HEREBY ORDERED THAT:

A. The issues to be determined at trial are:

- (1) Whether Respondent violated OSHA Standard 29 CFR 1910.22(a)(2) as set forth in the Citation and Notification of Penalty issued on September 11, 2007 (Citation) resulting from Inspection No. 310393848;
- (2) Whether the characterization of the subject notice of violation as "serious" is correct; and
- (3) Whether the penalty of \$2,625.00 assessed by Complainant is correct.

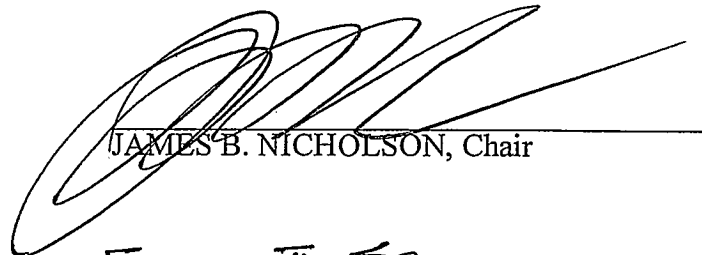
B The deadline for the parties' final naming of witnesses is **January 7, 2008.**

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- C. The discovery cutoff date is **January 22, 2008**.
- D. Trial in this matter is scheduled for **February 20, 2008, at 9:00 a.m.**, or as soon thereafter as this case can be heard, in the Board's hearing room located at 830 Punchbowl Street, Room 434, Honolulu, Hawaii, 96813. The trial will continue from day-to-day until completed.
- E. Hereafter, this Pretrial Order shall control the course of proceedings and may not be amended except by consent of the parties and the Board, or by order of the Board.

DATED: Honolulu, Hawaii, November 21, 2007.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



EMORY J. SPRINGER, Member

NOTICE TO EMPLOYER

You are required to post a copy of this Order at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the trial date. Further, you are required to furnish a copy of this Order to a duly recognized representative of the employees, if any, at least five working days prior to the trial date.

Copies sent to:

Herbert B.K. Lau, Deputy Attorney General
Simeon Miranda